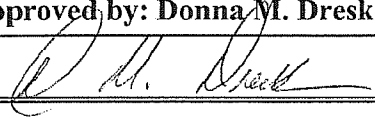


EXHIBIT 3

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MANAGEMENT POLICIES AND PROCEDURES	
Prohibited Discrimination, Harassment and Retaliation Policy	Number: 607
Approved by: Donna M. Dreska, City Manager	Effective Date: February 14, 2011
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I. PURPOSE

The purpose of this policy is to comply with Federal and State statutes and regulations by prohibiting discrimination, harassment and retaliation in the workplace, and to provide a uniform method of investigating and resolving complaints of discrimination, harassment and retaliation.

II. REVISION HISTORY

12-16-97	Adopted
10-02-98	Revised
11-01-99	Revised
02-17-03	Revised
02-14-11	Revised

III. PERSONS AFFECTED

This policy applies to all City employees and applicants for City employment. Conduct prohibited by this policy is prohibited in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

IV. POLICY

Each individual has the right to work in a professional environment that promotes equal employment opportunities and prohibits discriminatory practices, including sexual harassment or any other form of harassment protected by law. It is the policy of the City to ensure equal employment opportunity without discrimination or harassment on the basis of race, ancestry, color, ethnicity, national origin, religion, sex, sexual orientation, age (40 years old and above), disability, Veteran status, citizenship, political affiliation or any other status protected by law. City policy also prohibits retaliation against any employee by another employee or by the City for reporting, filing, testifying, assisting or participating in good faith in any investigation, proceeding or hearing conducted by the City or a federal or state enforcement agency relating to this policy. The City prohibits any such discrimination, harassment and retaliation. Violation of this policy will result in disciplinary action, up to and including termination of employment.

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V. DEFINITIONS

A. Sexual Harassment: For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

B. Sexual harassment is not, by definition, limited to prohibited conduct by a particular sex, for example:

1. A man, as well as a woman, may be the victim of sexual harassment, and a woman as well as a man, may be the accused.
2. The accused does not have to be the victim's supervisor. The accused may be an agent of the supervisor, a supervisory employee who does not supervise the victim, a non-supervisory employee (for example, a co-worker), or a non-employee.
3. The victim does not have to be the opposite sex from the accused; same sex harassment is prohibited.
4. The victim does not have to be the person at whom the unwelcome sexual conduct is directed. The victim may be someone who is affected by such conduct when it is directed toward another person. For example, the sexual harassment of one employee may create an intimidating, hostile, or offensive work environment for another employee or interfere with the Employee's work performance. The belief that such interference has occurred must be objectively reasonable.

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C. Other Forms of Prohibited Harassment: Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, ethnicity, national origin, religion, age, disability, citizenship or any other status protected by law and that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Has the purpose or effect of otherwise adversely affecting an individual's employment opportunities.

D. For purposes of clarification, sexual harassment or other forms of prohibited harassment include, but is not limited to the following behaviors:

1. Quid Pro Quo: This is a Latin expression meaning "something for something", or "this for that", or "You do this for me, I'll do that for you."
2. Verbal Harassment: Epithets, derogatory comments, propositioning, slurs, or other offensive words or comments on the basis of any protected status, whether made in general, directed to an individual, or to a group of people, and regardless of whether the behavior was intended to harass. This includes, but is not limited to, inappropriate comments on appearance, including dress or physical features, sexual rumors, code words, and stories.
3. Physical Harassment: Assault, impeding or blocking movement, leering, or the physical interference with normal work, privacy, or movement when directed at an individual on the basis of any protected class status. This includes such behaviors as pinching, patting, grabbing, or making explicit or implied threats or promises in return for submission to physical acts.
4. Visual Forms of Harassment: Derogatory, prejudicial, stereotypical, or otherwise offensive posters, photographs, cartoons, notes, bulletins, drawings, screen savers, pictures, or articles of clothing, that refer to any protected status or characteristic. This applies to posted materials, material maintained in or on City of Reno property or equipment, or personal property in the workplace.

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VI. RESPONSIBILITIES

A. The Department of Human Resources, through the Human Resources Director, is responsible for the development, implementation, coordination, and monitoring of the City's Equal Employment Opportunity and Non-Discrimination Policy and the Prohibited Discrimination, Harassment and Retaliation Policy. As directed by the City Attorney's Office, the Human Resources Director will investigate complaints of discrimination, harassment and retaliation and will prepare a Report of Findings and Recommendations.

B. The Department of Human Resources is responsible for the development and dissemination of disciplinary guidelines for infractions of the Equal Employment and Non-Discrimination Policy and the Prohibited Discrimination, Harassment and Retaliation Policy.

C. Department heads, supervisors and managers, as part of his or her management responsibilities, must monitor the conduct of employees to ensure that day-to-day interactions are consistent with the City's Equal Employment Opportunity and Non-Discrimination Policy #603 and the Prohibited Discrimination, Harassment and Retaliation Policy.

VII. PROCEDURES

A. Notification to the Offending Person: Any City employee who feels he or she may have been a victim of discrimination or harassment is encouraged to put the offending person on notice that his or her activities are unwelcome, undesirable, and/or offensive.

B. Complaint Process:

1. If the employee is unable or too uncomfortable to follow the above initial attempt to resolve the dispute, or if the conduct believed to be discrimination or harassment persists after an objection, the aggrieved employee should notify his/her supervisor and/or the Human Resources Director.
2. If the accused is the aggrieved employee's supervisor, the employee may complain directly to the Human Resources Director.
3. Although the City encourages written complaints, such notification may be verbal. The Complaint of Discrimination, Harassment and Retaliation Form (see Attachment A) may be used for all complaints under

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these policies but it is not mandatory. Allegations of discrimination, harassment, or retaliation, either verbally or in writing, will be considered complaints for the purposes of these policies.

4. Department heads, managers, or supervisors must forward all verbal or written complaints of discrimination, harassment or retaliation, or observed conduct which is believed to constitute any form of discrimination and/or harassment, to the Human Resources Director. Department heads will receive copies of any complaints filed directly with the Human Resources Director, unless they are the subject of the investigation.
5. Whether the complaint is made verbally or in writing, the department head, supervisor or manager who initially receives the complaint, must inform the employee that, in accordance with City policy, an investigation will take place, and that: the investigation will be prompt and fair; conducted in a sensitive and discreet manner; and culminate in appropriate action based on the results of the investigation.
6. Upon receipt of the complaint, the Human Resources Director shall immediately contact the City Attorney's Office to review the complaint to determine whether the issue is appropriately addressed under these policies and, if so, to direct an investigation. If the complaint is found to be outside the scope of this policy, the Human Resources Director shall meet with the employee who filed the complaint to explain why the complaint falls outside the scope of these policies.
7. If, after initial review, there is indication that the complaint is properly a subject of these policies, the Human Resources Director, at the direction of the City Attorney's Office, shall immediately notify the department head of the complaint and shall schedule a meeting with the employee who filed the complaint to review the complaint and the circumstances leading to the complaint.
8. Upon conclusion of the meeting with the employee who filed the complaint, the Human Resources Director shall contact the person(s) accused. The purpose of this contact is to notify the accused person of the complaint. Where the accused is a peace officer, notification and investigation will be in accordance with NRS 289 and, when appropriate, in coordination with the Reno Police Department Internal Affairs Division.

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9. The Human Resources Director will consult with the City Attorney's Office prior to the Report of Findings and Recommendations being disseminated to the City Manager or his/her designee and the department head.
10. Upon completion of the investigation, the Human Resources Director or other designated investigator shall report in writing his/her findings and determination as to whether discrimination, harassment and/or retaliation has occurred and any appropriate recommendations to the City Manager or his/her designee and the department head within sixty (60) days from the receipt of the complaint.
11. The department head shall within fourteen (14) calendar days after receiving the investigative report notify the Human Resources Director of any action taken in response to the Report of Findings and Recommendations. The department head must consult with the Department of Human Resources prior to imposing disciplinary action against an employee found to have violated these policies. Where discipline is imposed, the nature and extent of the discipline shall not be divulged to the complainant.
12. All time limits stated in these procedures are subject to equitable considerations and the rule of reason.
13. In the event the complaint involves the department head, the City Manager or his or her designee shall be substituted for department head beginning at Step 2 above.
14. Charges filed with the Nevada Equal Rights Commission (NERC) or with the Federal Equal Employment Opportunity Commission (EEOC) will be forwarded immediately to the Human Resources Director who will provide the City Attorney's Office and the affected department head with copies. The City Attorney's Office will prepare and submit the City's response to the formal charge to the requesting agency.
15. In cases where a contracted individual is accused of discrimination, harassment or retaliation, the complaint will be handled as set forth above except that any recommended corrective or remedial action must be initiated as allowed under the terms of the contractual agreement, up to and including termination of the contract.

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16. The Human Resources Director will maintain a complaint log containing the name of the complainant, date received, issue(s), and the date and nature of resolution.

C. Any City employee is encouraged to avail himself or herself of the procedure set forth in these policies.

VIII. CONFIDENTIALITY

Confidentiality will be maintained throughout the investigatory process to the extent consistent with conducting an investigation and determining appropriate corrective action.

IX. NON-RETALIATION

The City will investigate and respond to a complaint or report of retaliation as set forth in the Prohibited Discrimination, Harassment and Retaliation Policy. Acts of retaliation should be reported immediately to the Human Resources Director and will be investigated in the same manner as outlined in the steps above and appropriate corrective action will be taken, up to and including termination.

X. FALSE AND MALICIOUS COMPLAINTS

False and malicious complaints of discrimination, harassment or retaliation, as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action, up to and including termination.

COMPLAINT OF DISCRIMINATION, HARASSMENT AND RETALIATION FORM

Name	Department/Division
Home Address	Home Phone
Work Address	Work Phone
Job Title	Supervisor's Name

I believe I was discriminated against because of:

☐ Race ☐ Color ☐ National Origin ☐ Disability ☐ Sexual Orientation ☐ Age

☐ Sex ☐ Religion

☐ Harassment ((specify reason) _____

☐ Retaliation (specify reason) _____

☐ Other (please describe) _____

Date of most recent incident: _____ When did the problem begin? _____

Are you represented by a union or an employee association? _____ If yes, which one? _____

If so, have you filed a grievance? _____ What is the status of your grievance? _____

Describe the incidents, facts, and circumstances that you believe are discriminatory and the reasons why you believe them to have occurred because of the characteristics indicated above. Use additional sheets of paper as necessary and attach copies of any relevant documents (do not attach original documents).

I hereby declare that to the best of my knowledge and belief, the foregoing is true and correct.

Signature

Date